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09/604,824	06/27/2000	Jeffrey C. Schroeder	FL001	4570

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EXAMINER

SLOAN, NATHAN A.

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/604,824

Applicant(s)

SCHROEDER, JEFFREY C.

Examiner

Nathan A Sloan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4                      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 6 is objected to because of the following informalities: there is a lack of antecedent basis for the term "the wind direction signal." Appropriate correction is required.

### ***Specification***

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code on pages 5, line 5, page 10, lines 20-25, and page 11, line 2. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: item 27 of Figure 1, referenced on page 3. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: items 70-78 of Figure 7 and items 83a-b of Figure 9. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 4-20, 22-28, and 31-33 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Shelton (5,568,386).

7. With respect to claims 1-2, 4, 10-12, and 31-32 the claimed system and method for integrating wind direction and wind speed or “at least one weather parameter” into a television broadcast related to a first geographic location is taught by Shelton as seen in Figures 1 and 3. The claimed “at least one monitoring station located at the first geographic location .. including means” for sensing the wind direction and wind speed at the first geographic location, generating a wind direction and speed signals, and “transmitting the wind speed signal and wind direction signal from the monitoring station” is taught as seen in Figure 1 with remote weather stations 38,

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44, and 46, which as seen in Figure 23 generate both a wind speed and wind direction signal for transmission to base station 1. The claimed base station including means for receiving the provided signals and generating icons representing wind speed and direction is met by receiving the signal via line 23 of Figure 1 and generating icons seen in Figure 23. These signals are then converted “into respective television signals representing the wind direction and the wind speed, the television signal being in a format suitable for integration into the television broadcast” as taught in column 3, lines 8-20. The signals may be superimposed over video of the region (col. 3, lines 20-35) meeting the claimed integration and superimposing “on the television broadcast related to the first geographic location.”

With respect to claims 5 and 20, the claimed “wind speed sensing means” being an anemometer is taught in column 2, lines 24-29.

With respect to claims 6, 17, 22, and 23 the claimed monitoring station including a micro controller coupled to receive the weather parameter signal from the sensing mean, and wherein transmitting means includes a communications network coupling/modem coupled to the micro controller to transmit the wind direction and wind speed weather signals is met by remote computer 114 and modem 39 of Figure 4.

With respect to claims 7 and 25, the claimed receiving means being a modem is taught in column 6, lines 38-43.

With respect to claims 8 and 9, the claimed generation of wind direction and wind speed icons is met as noted above with reference to Figure 23.

With respect to claims 13, 14, and 33 similar limitations are recited as claimed in claim 11 with the further limitation including a “further” monitoring station to sense a “further” wind

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direction and speed, and be integrated into a “further” television broadcast with “further” superimposed icons. As seen in Figure 1, a plurality of monitoring stations 38, 44, and 46 exist to generate a plurality of samples related to a plurality of geographic locations. These samples may be integrated into broadcasts related to the corresponding geographic locations and superimposed as noted in response to claims 1-2, 4, 10-12, and 31-32 above.

With respect to claims 15 and 16, the claimed generation of wind direction and speed icon signals “having an orientation that varies in response to the wind” direction and speed signals is met as seen in Figure 23 with variable lines indicating speed and direction.

With respect to claims 18 and 19, the claimed communications network being “a cellular communications network” or a “UHF radio communications network” is taught in column 3, lines 3-15.

With respect to claim 24, the claimed micro controller “adapted to provide a user interface to the monitoring station” is taught in column 10, lines 1-10.

With respect to claims 26 and 28, the claimed icon generating means and merging means “is a specially programmed general purpose computer” is met by base computer 4 of Figure 1.

With respect to claim 27, the claimed “television signal receiving means is a graphics interface card” is not explicitly taught by Shelton. However, in column 6, lines 53-55 base computer 4 is said to be provided with conventional peripheral I/O devices. It is the position of the examiner, therefore, that the claimed graphics interface card is inherent to Shelton in order to provide the GUI of Figure 6 to users via display 10.

*Claim Rejections - 35 USC § 103*

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3, 21, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shelton (5,568,385).

10. With respect to claims 3 and 21, Shelton does not teach that the wind direction sensing means is a wind vane. Examiner takes Official Notice that wind vanes are notoriously well known in the art. It would have been obvious for one skilled in the art at the time of the invention to modify the methods of Shelton by using a wind vane in order to provide wind direction sensing means using simple, proven technology.

With respect to claim 29, the claimed system for integrating wind direction and wind speed into a television broadcast including monitoring station is met as noted above in response to claims 1-2, 4, 10-12, and 31-32. The claimed anemometer is met as noted in response to claims 5 and 20. Shelton does not teach that the wind direction sensing means is a wind vane. Examiner takes Official Notice that wind vanes are notoriously well known in the art. It would have been obvious for one skilled in the art at the time of the invention to modify the methods of

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Shelton by using a wind vane in order to provide wind direction sensing means using simple, proven technology. The claimed base station with modem, graphics interface card, and computer to create wind direction and speed icons from received corresponding signals and merging the input to superimpose the icons on the television broadcast are all met by Shelton as noted above.

With respect to claim 30, the claimed further anemometer, further wind vane, and third modem, are met by the system of Shelton as seen in Figure 1 including a plurality of remote stations 38, 44, and 46. While a "further wind vane" is not taught by Shelton, it would have been obvious for one skilled in the art at the time of the invention to modify the system of Shelton by including wind vanes at remote weather stations in order to provide wind direction sensing means using simple, proven technology.

### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shelton et al. (5,848,378) teaches system for collecting and presenting real-time weather information.

Busby et al. (5,943,630) teaches a display system for remote weather conditions.

Stephenson (6,031,579) teaches a weather parameter display system.

Qurashi et al. (3,752,919) teach a weather-time display for use in a closed circuit cable television system.



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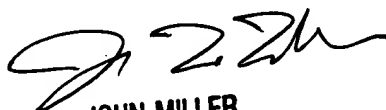
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan A Sloan whose telephone number is (703)305-8143. The examiner can normally be reached on Mon-Fri 7:30am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703)305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-5399 for regular communications and (703)308-5399 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

NAS

June 11, 2003

  
JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
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